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DEPT FOR SCA, DRL, AND G/TIP  
DRL/ILCSR FOR TU DANG AND ALFRED ANZALDUA  
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SUBJECT: UZBEKISTAN: CHILD LABOR INFORMATION FOR TRADE AND  
DEVELOPMENT ACT (GSP) 2008 REPORT

REF: a) 08 STATE 127448

1. Summary: Per refTel request, post is providing the following update on child labor in Uzbekistan. In 2008, the Government of Uzbekistan undertook legal reforms to combat the use of child labor. In January 2008, Uzbekistan adopted a new law on children's rights which clarified protections for children against forced labor. In April 2008, the government voted to adopt ILO Conventions 182 (On the Worst Forms of Child Labor) and 138 (On the Minimum Age of Employment). For the first time, the Uzbek government adopted a comprehensive policy on the elimination of child labor in September in the form of a wide-ranging National Action Plan on implementing ILO Conventions 182 and 138. ILO and UNICEF continued cooperation this year with government bodies on developing the National Action Plan and on activities aimed at raising awareness regarding child labor legislation. Despite these efforts, the use of child labor continued during the annual fall cotton harvest, a practice dating from the Soviet era which is still largely accepted by Uzbek society. International observers conducted an informal, but widespread, survey of the use of child labor during the cotton harvest, and discovered that conditions and the age of children involved varied considerably by region, though they found that most children were older than 15 and the vast majority were older than 11. We continue to believe that efforts to combat child labor in Uzbekistan should be part of a long-term strategy that addresses broader and related issues, such as rural poverty, unemployment, labor migration, and the perverse effects of cotton quotas.

2. Summary continued: In 2008, the government continued to make strides in combating trafficking in persons (TIP), including the trafficking of minors. In September 2008, the government amended the Criminal Code to strengthen penalties against convicted traffickers. The number of TIP convictions continued to rise this year. The Ministries of Foreign and Internal Affairs and local contacts indicated that convicted traffickers are increasingly serving time in jail and are not being amnestied. The government continued a wide-ranging public awareness campaign warning citizens, including minors, about the dangers of trafficking for both forced labor and sexual exploitation. While TIP remains an issue in Uzbekistan, the true extent of child trafficking is still unclear. End summary.

I) Government Law and Regulations Proscribing the Worst  
Forms of Child Labor

3. This year the government, as promised, adopted additional international conventions on child labor. In April 2008, the government voted to adopt ILO Conventions 182 (On the Worst Forms of Child Labor) and 138 (On the Minimum Age of Employment). The adoption of the ILO conventions followed an exchange of letters between the Uzbek Ministry of Foreign Affairs and ILO and UNICEF, and occurred shortly after a visit by a senior-level ILO official to Tashkent. The visit was described as "very positive," and the official reportedly had "frank" private discussions on child labor at Parliament and with other government bodies, including the interagency Working Group on Child Labor (see para 17).

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4. In 2008, ILO recognized Uzbekistan's adoption of Convention 182, but not of Convention 138. ILO explained that Uzbek law sets the minimum age of employment at 16, but also allows children to work at 14 if they receive written permission from their parents (see para 6), in contravention of Convention 138. However, ILO reportedly discussed the issue with Uzbek officials, and was optimistic that it would recognize Uzbekistan's adoption of Convention 138 after some legislative changes in 2009. The government previously ratified both ILO Convention 29 ("On Forced Labor") and Convention 105 ("On the Abolition of Forced Labor").

5. The government joined the UN Convention on the Rights of the Child (CRC) in 1994 and is continuing to work closely with UNICEF to become fully compliant. In December 2008, the government

adopted the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography and the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict.

16. The Uzbek Labor Code sets the minimum age of employment at 16 years (Note: Some sources erroneously report that the Uzbek Constitution sets the working age at 16 years, but the Uzbek Constitution does not define the legal working age. End note.) Children ages 14 to 18 are required to obtain written permission from a parent or guardian in order to work. Children under 18 also may not engage in work which interferes with their studies. Children ages 14 to 16 may only work 12 hours per week while school is in session and 24 hours per week during school vacation. Children ages 16 to 18 may only work 18 hours per week when school is in session and 36 hours per week during school vacations. The Labor Code prohibits children younger than 18 from working in unfavorable labor conditions. Uzbekistan's Labor Code and the Law on Employment of the Population define hazardous work for persons under 18 as well as provide additional guarantees and benefits for youth. A 2001 Government Decree bans children under 18 years from working in unhealthy conditions and specifically listed manual harvesting of cotton as having unhealthy conditions for children. Prior to employment, children under 18 years must undergo a medical examination to establish their suitability for their chosen work and must repeat the examination at the employer's expense once a year until they become 18. The Uzbek Constitution prohibits forced or compulsory labor, except as legal punishment for robbery, fraud, or tax evasion, or as specified by law. The minimum age for military recruitment is 18.

17. In January 2008, Uzbekistan adopted a new law "On Guaranteeing Children's Rights," which clarifies protections for children against forced labor and includes language to establish an official Ombudsman for Children. The law was originally drafted in 2006 by the National Human Rights Center with support from ILO and UNICEF. The government has completed draft language to establish an Ombudsman for Children, who will advocate for children's rights within the government and receive complaints from citizens about violation of children's rights. The draft law is expected to be adopted in 2009.

18. In 2008, the government adopted new trafficking-in-persons (TIP) legislation. In September 2008, the government amended the Criminal Code to strengthen penalties against convicted traffickers. The amendments created a new version of Criminal Code

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Article 135; officially entitled "Trafficking in Persons," it formally defines and criminalizes all severe forms of human trafficking, including the trafficking of minors. The base punishment for first-time offenders is now three to eight years' imprisonment. The punishment is increased to eight to 12 years' imprisonment for instances of trafficking a minor, trafficking two or more persons, using force or threat, recidivism, group conspiracy, abuse of official position, and cases involving the death of trafficking victims. In June 2008, the government adopted the UN Protocol on Trafficking in Persons. In April 2008, President Karimov signed anti-trafficking legislation that strengthened victim protections, required the government to provide victims with assistance, and criminalized severe forms of human trafficking, including forced labor. The Criminal Code already prohibited the dissemination of pornography and obscene objects to persons under 21, which is punishable by a fine and up to 3 years' correctional labor.

## II) Implementation and Enforcement of Child Labor Laws

19. The bodies responsible for labor issues include the Ministry of Labor and Social Protection, the Prosecutor's Office, Hokimiyat (Municipality) commissions on issues dealing with minors (defined as under those under 18), and official trade unions. Current legislation does not explicitly provide jurisdiction for inspectors from the Ministry of Labor and Social Protection to focus on child labor enforcement. Enforcement of GOU law is under the jurisdiction of the Prosecutor General and the Ministry of Interior and its general criminal investigators. Uzbekistan has not ratified ILO Convention 81 on labor inspection.

10. Punishments and enforcements appear to be effective deterrents to child labor in the formal sector, but less so in the family-based and agricultural sectors. Authorities did not formally investigate or punish violations related to the cotton harvest, and there were no reports of inspections resulting in prosecutions or administrative sanctions. Enforcement was lacking due in part to long-standing societal acceptance of child labor as a cheap method of cotton harvesting (see para 41).

11. International observers noted that many local officials in Uzbekistan's provinces appear to be caught in a "Catch-22" situation: on one hand, Uzbek legislation formally forbids them from recruiting students younger than 18 to pick cotton; on the other hand, other sources of labor are often sparse, as many adult laborers travel to neighboring countries where wages are higher. Local officials often have little choice but to mobilize schoolchildren to meet cotton quotas. While local officials potentially face repercussions for failing to meet cotton quotas, they are not punished for violating Uzbekistan's child labor legislation. International organizations also reported that local officials in some regions exhibit a poor understanding of the country's child labor legislation. For this reason, they believe that efforts to raise awareness about child labor legislation were critical.

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¶12. Government offices with responsibility for fighting human trafficking included the Ministry of Interior's Office for Combating Trafficking, Crime Prevention Department, and Department of Entry-Exit and Citizenship; the National Security Service's Office for Fighting Organized Crime, Terrorism, and Drugs; the Office of the Prosecutor General; the Ministry of Labor; the Consular Department of the Ministry of Foreign Affairs; and the State Women's Committee. A government Inter-Agency Commission on Combating Trafficking in Persons meets quarterly and consists of representatives from the government entities listed above.

¶13. In 2008, the government continued to investigate numerous trafficking-related crimes through the Ministry of Internal Affairs (MVD) TIP Unit and the Prosecutor's Office. The number of trafficking-related convictions continued to rise this year. According to a report released by the Ministry of Justice in October, during the first nine months of 2008, Uzbek authorities opened 436 criminal cases against suspected traffickers, resulting in 339 convictions (293 men and 136 women). In 2007, authorities investigated 303 suspects on human trafficking charges, resulting in 185 convictions. The number of publicly reported convictions of traffickers increased after the adoption of the new Criminal Code amendments in September 2008. The Ministries of Foreign and Internal Affairs and local contacts indicated that convicted traffickers are increasingly serving time in jail and are not being amnestied, as previously had been the case. An independent activist also noted that individuals convicted of human trafficking were now among those groups of prisoners who were generally not considered for amnesty.

### III) Government Policies and Programs to Eliminate the Worst Forms of Child Labor

¶14. Since 1994, UNICEF has worked closely with the Uzbek government to promote the protection and development of children. Though its child protection project, UNICEF continues to promote policy changes that will establish a protective environment for children through legislative reform and advocacy for child care reform. In 2008, UNICEF completed trainings for local officials in nine regions of the country on the CRC, part of which focused on the worst forms of child labor. The trainings reportedly raised the awareness of local officials about the country's existing anti-child labor legislation, including the 2001 decree expressly forbidding those under 18 years' of age from engaging in manual cotton harvesting (see para 6). UNICEF also conducted trainings at schools for students and teachers on child labor issues in five different regions of the country. In January 2009, UNICEF met with the Minister of Labor, who expressed support for continued cooperation on awareness raising activities in 2009. UNICEF also supported the creation of a Children's Parliament in Tashkent. In 2008, the Children's Parliament decided that one of its functions would be to monitor the use of child labor in Uzbekistan.

¶15. UNICEF's HIV/AIDS prevention project continues to support existing government efforts to improve awareness of healthy lifestyles for at-risk adolescents. In 2007, UNICEF completed an unpublished report on internal and external trafficking of children in 2007. The report uncovered few specific cases of children being

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trafficked internally or externally, but concluded that the number of children being trafficked internally likely exceeded the number being trafficked externally. The report also found that children at orphanages or those who had been abused were the most susceptible to being trafficked.

¶16. In 2005, ILO's International Program on the Elimination of Child Labor (IPEC) began a regional project to take action against the worst forms of child labor. At the national level, the project seeks to provide government, worker and employer organizations, NGOs and other partners with the technical skills and organizational capacity necessary to formulate and implement policies to protect, rehabilitate and reintegrate children engaged in the worst forms of child labor.

¶17. In 2006, ILO-IPEC launched a social dialogue process on child labor through the creation of a multi-agency government working group that included: UNICEF; the Cabinet of Ministers Social Complex; the Ministries of Labor, Health, Public Education, and Higher and Specialized Education; the National Human Rights Center; the Children's Fund; and trade unions. The working group continues to meet regularly and was instrumental in the government's decision to adopt ILO anti-child labor conventions this year. The working group also continues to seek to strengthen legal regulations on child labor and enhanced mechanisms for prosecution of illicit activities. In addition, ILO reported that the working group successfully promoted the inclusion of many child labor-related action points into the Uzbek government's National Program of Improving Children's Well-Being for 2007-2011. The Program's relevant action points include: implementing awareness-raising activities on children's rights; holding training courses for authorities on preventing children from dropping out of school; developing a child labor monitoring system; skills training for at-risk children and children who dropped out of the education system; capacity building for law enforcement on prevention of the worst forms of child labor; regular assessment and studies on the use of child labor; child labor roundtables with representation from the government and international organizations; and revising current agricultural practices.

¶18. In 2008, in collaboration with the Occupational Safety and Health Center of the Uzbek Ministry of Labor, ILO created a manual on occupational safety and health which included information on the worst forms of child labor and made specific reference to the government's 2001 decree banning children under 18 years from

picking cotton (see para 6). In consultation with the government, ILO also created posters which depict hazardous forms of labor for youth, including manual cotton picking. ILO used the manual and posters to conduct trainings for 15 labor inspectors, 14 occupational safety and health doctors, 25 employees of the Association of Farmers, and 100 trade union activists. Afterwards, these trainees then conducted their own trainings across the country for farmers and school administrators, in the process distributing 1,000 copies of the manual and 10,000 copies of the posters. The trainees also established labor representatives at farms to oversee occupational safety and health issues, including monitoring incidences of child labor. In addition, ILO conducted trainings for 630 juvenile delinquency officers in six regions of the country. It also worked with a group of journalists at state-controlled media outlets to raise awareness about the worst forms of child labor. ILO continued to work with parents and mahalla (neighborhood committee) members to establish a

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community-based child labor monitoring system.

119. ILO and UNICEF reported cooperation with officials from the state-controlled National Human Rights Center in raising awareness of recent child labor legal reforms among government officials and the general populace, including the publishing of books in Uzbek on ILO anti-child labor conventions, the UN Convention on the Rights of the Child, and the new Uzbek law on the rights of the child. The Chairman of the National Human Rights Center visited ILO's headquarters in Vienna in 2008. ILO also collaborated with the Uzbek Interparliamentary Union to publish a book in Uzbek entitled "Putting an End to the Worst Forms of Child Labor," which was then delivered to all members of Parliament.

120. ILO reported that its efforts in Uzbekistan were hampered by the loss in fiscal year 2008 of 2.5 million dollars in Department of Labor funds for the ILO-IPEC regional program. ILO continued to fund its activities by means of a one million euros grant from the German government, but noted that these funds were stretched thin. In August, ILO was approached by the Ministry of Justice to conduct trainings for prosecutors on filing child labor-related complaints. However, the ILO country representative departed Uzbekistan in September 2008 to accept a promotion, and ILO has not yet named a replacement.

121. ILO reported that there were farmers in Uzbekistan who did not use child labor during the cotton harvest. Before its representative departed the country, ILO was organizing a project to promote the best practices of such farmers. ILO also was pursuing a project with Uzbekistan's Association of Farmers to create "seasonal work brigades" of adult laborers that could pick cotton instead of children. The workforce cooperatives would be made up of paid laborers drawn from the unemployed, especially those who used to work on collective farms. The cooperatives would work throughout the year, and would be involved in harvesting, seeding, weeding, and the improvement of irrigation systems. The state-controlled media carried articles this year on farmers that used seasonal workers instead of child labor during the cotton harvest. For example, in October, the state-controlled UzReport.com website reported that the private Muruvvat-teks firm - with farmland in Syrdarya, Jizzakh, and Tashkent provinces - successfully fulfilled its 2008 state cotton quota without the use of schoolchildren. Instead, the firm reportedly used 1,500 adult employees, as well as 10,000 seasonal workers who were brought in from the Ferghana Valley and Samarkand and Bukhara provinces.

122. The government appears to be moving towards reducing the amount of farmland dedicated to cotton cultivation, which should result in reduced incidences of child labor, as most schoolchildren who work in agriculture pick cotton. In October, President Karimov signed a decree on "On Measures to Optimize and Increase the Production of Food Crops," which called for an immediate reduction in the available land for cotton cultivation by an unspecified amount, while increasing the land set aside for growing grain and other food crops.

123. President Karimov's youngest daughter Lola Karimova continues to be one of the most vocal advocates for the protection of

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children and heads a large NGO devoted to child advocacy called "You Are Not Alone." In 2004 Karimova established the National Center for Social Adaptation of Children, which continues to operate under the auspices of the Cabinet of Ministers' Social Complex. The Center seeks to: study children's problems (particularly of at-risk children); develop risk prevention programs; monitor state programs targeted at children; and train specialized workers for assisting disabled children. In October 2008, Karimova, who now serves as Uzbekistan's Permanent Representative at UNESCO, spoke in support of the increased use of inclusive education for children with disabilities in Uzbekistan at an international conference in Tashkent.

124. In 2008, the U.S. State Department's Bureau of Democracy, Human Rights, and Labor (DRL) created a multi-stakeholder initiative on child labor in Uzbekistan. The initiative - which aims at facilitating dialogue among Uzbek-cotton stakeholder and includes representatives from major U.S. brands and retailers, socially-responsible investors, U.S. government agencies, international NGOs, the World Bank, UNICEF and ILO - met on several occasions in Washington this year. On December 19, 2008, the Uzbek Ambassador to the United States attended a meeting of the initiative's working group in Washington.

125. During the year, the Uzbek government continued to focus on TIP prevention. A specialized antitrafficking unit in the Ministry

of Interior established in 2004 continued to cooperate with NGOs on antitrafficking training for law enforcement and consular officials; the unit also supported victims who testified against traffickers and organized public awareness campaigns. In the fall of 2008, the government ramped up a wide-ranging public awareness campaign in the state-controlled media - including newspapers, radio, television, and internet news websites - warning citizens, including minors, about the dangers of trafficking for both forced labor and sexual exploitation. Government-owned television stations also worked with local NGOs to broadcast antitrafficking messages and to publicize the regional NGO hot lines that counseled actual and potential victims.

126. Government officials continued to work with the International Organization for Migration (IOM) and local NGOs on programs to prevent trafficking in persons by placing awareness posters in public buses, passport offices, consular sections, and on large city billboards. In several different regions of Uzbekistan, antitrafficking NGOs, with the participation of law enforcement and local government officials, conducted seminars for orphanages, secondary schools, and higher education institutions and developed informational brochures and educational manuals for teachers and students. During the summer, the NGOs organized antitrafficking seminars at summer camps across Uzbekistan for youth. The NGOs also worked with Uzbekistan's mahallas (neighborhood committees) and religious leaders to raise awareness about trafficking, especially in rural areas.

127. IOM helped repatriate to Uzbekistan victims, including minors, who were trafficked for sexual and labor exploitation. In several of the cases, the Ministry of Foreign Affairs and Internal Affairs provided assistance in preparing documents necessary for their repatriation. IOM also reported that police, consular officials, and border guards referred victims to NGOs and shelters for

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services. The government routinely allowed IOM to assist groups of returning victims at the airport, help them through entry processing, and participate in the preliminary statements that they give to the Ministry of Internal Affairs.

128. The government provided occasional assistance to victims at two shelters operated by antitrafficking NGOs. Some of the victims housed at the shelters were minors. On November 5, 2008, President Karimov signed a decree instructing the Ministry of Labor to open a national rehabilitation center in Tashkent to assist and protect human trafficking victims, including minors. The Ministry of Interior officials also discussed plans to open additional government-run shelters for trafficking victims in several provinces.

#### IV) Comprehensive Policy Aimed at Eliminating Child Labor

129. In 2008, Uzbekistan finally adopted a comprehensive policy on the elimination of child labor. In September, the government adopted a National Action Plan on implementation of ILO Conventions 182 and 138, which called for the abolishment of the mobilization of children for the annual cotton harvest. The plan, which was developed with input from international organizations, has three main sections: strengthening the anti-child labor legislative framework; enhancing the monitoring mechanisms of child labor; and engaging in an awareness raising campaign on the worst forms of child labor. The Plan includes mechanisms for implementation of ILO child labor conventions, deadlines for performance, and the ministries responsible for each activity. Articles 11 and 12 in the Plan expressly prohibit forced labor by schoolchildren and call for mechanisms to be improved to ensure school attendance. Other articles of the Plan also refer to data gathering, accounting, inspection, permanent monitoring to ensure national compliance with ILO conventions, and participation by Uzbek officials in international discussions on child labor.

130. Knowledgeable international observers described the National Action Plan as "not perfect" but "clear progress." While government officials had been previously unwilling even to admit the existence of child labor in Uzbekistan, international observers noted that key government representatives now publicly acknowledged that child labor existed and were preparing steps to combat the problem. After the adoption of the plan, the Prime Minister warned regional governors not to mobilize children "under any circumstances," and the Ministry of Labor also delivered a letter to the Ministry of Education and the Association of Farmers on the illegality of mobilizing children for the cotton harvest.

131. In July, UNICEF participated in a government roundtable focusing on the development and implementation of the National Action Plan. The roundtable was described as "the largest number of high level Ministers and dignitaries, from the broadest range of government Ministries, ever to publicly discuss ways to eliminate forced child labor in cotton harvesting." There was open discussion of the need for an accurate assessment of the extent of child labor in Uzbekistan and how international organizations could

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participate in the assessment. The Ministry of Education and the state-controlled Association of Farmers were asked to take all necessary steps to ensure that children were not mobilized this year, while the Prosecutor General's Office was asked to monitor the situation and take necessary disciplinary action against those who exploit children. In general, international observers working on child labor issues in Uzbekistan reported that high-level officials in Tashkent appeared genuinely committed to combating child labor



132. The government declared 2008 the "Year of Youth," during which it increased educational expenditures and job training for young people and undertook other measures to protect the rights and interests of youth.

133. Education is compulsory in Uzbekistan. The law now provides for free compulsory education for 12 years through basic and secondary school. In accordance with a 2007 four-year national action plan on securing child welfare, the government continued implementation this year of a transition from 9-year to 12-year mandatory free secondary education, including vocational education. The government has constructed numerous new three-year vocational schools and academic colleges and lyceums in all regions of the country. Successful implementation of the program will ensure that children will now complete secondary education at 18 years of age with the necessary professional skills to enter the labor market. Currently there are approximately 100 lyceums and 900 vocational schools offering courses to about a million students. Another 300,000 students attend the country's 65 higher education establishments.

134. The latest government statistics report that 98 percent of children completed basic school education. To encourage school attendance, the government provided aid to students from low-income families in the form of scholarships, full or partial boarding, textbooks, and clothing. In addition, the government subsidized health care, and children from low-income households were provided with free medical services. In practice, however, shortages and budget difficulties meant that many families had to pay education expenses. Teachers earned extremely low salaries and routinely expected regular payments from students and their parents. A youth social protection program offers retraining and skills improvement classes for school dropouts.

#### V) Progress Report: Incidence and Nature of Child Labor

135. The mobilization of students for the annual cotton harvest, a practice dating back to the Soviet era, continued this autumn. International observers conducted informal monitoring in at least nine provinces of the country, traveling to less developed regions of each province to talk directly with children, parents, teachers, school directors, farmers, and local officials. The results of the informal monitoring also tracked with the observations of Emboffs as they traveled around Uzbekistan's provinces during the cotton harvest this year.

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136. Unlike in previous years, authorities this year initially appeared to have made a concerted effort to prevent students under the age 16 at schools from being mobilized. Field observations by international observers indicated that early in the harvesting season there were fewer schoolchildren picking cotton than in previous years; however, schoolchildren were ultimately mobilized in several regions of the country. International observers believed that local officials came under increase pressure later in the cotton harvest to meet cotton quotas due to a poor harvest, which was negatively impacted by water shortages over the summer and early autumn rains that degraded the quality of the cotton remaining in the fields.

137. International observers found that the age of children picking cotton and conditions varied widely by region. The majority of children observed picking cotton were older than 15 and the vast majority were older than 11, though a few children as young as nine were seen picking cotton in some areas. Students at colleges and universities, including those between the ages of 16 and 18, were mobilized for the cotton harvest in greater numbers and in most regions of the country. In some areas, international observers found no children picking cotton or children only picking cotton in the presence of their parents. Most children picking cotton in southern Kazakhstan were Uzbek children who traveled there with their parents.

138. In addition, international observers found that conditions for students picking cotton varied greatly across the country. In some areas, schoolchildren picked cotton only half the day and attended school the rest of the day, while in other areas students picked cotton all day (from roughly 8 am until 6 pm). In some regions, schoolchildren were provided food and water (for which they were occasionally charged), while in other areas children brought their own food and water from home. Some students picked cotton for a month and half, while others picked cotton for a few weeks. International observers found that wages paid to students ranged from roughly 60 to 100 soums (roughly 4 to 7 cents) per kilo of cotton picked and tended to increase as the harvest progressed (presumably because the amount of cotton left to be picked decreased). International observers found no instances in which students were not promised a wage, but a few instances where children had not yet been paid. While schoolchildren generally returned home each evening, older students at colleges and universities were sometimes housed near more remote cotton fields and were away from home for longer periods of time. International observers reported finding that conditions for older students were usually satisfactory.

139. International observers did not find any harmful pesticides or herbicides were used to produce cotton in Uzbekistan, which relies mostly on organic pesticides and herbicides. Farmers reported that organic farming was more advanced in Uzbekistan than in Kazakhstan, mostly because Uzbek farmers are poorer and simply cannot afford expensive chemical pesticides and herbicides.

140. International observers believed that the wide variations in labor practices across the country can be explained by the fact that local officials and school directors appear to have

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considerable latitude in deciding whom to mobilize, for how long, and under what conditions. Another important factor was the availability of adult labor in a particular region. International observers noted that regions where many adults migrated abroad for work tended to be the regions which relied most heavily on mobilizing students. Some adult laborers travel to Kyrgyzstan and Kazakhstan during the cotton harvest, where they are paid higher wages than in Uzbekistan. Large numbers of adult males migrate from Uzbekistan for larger periods of time to work in construction and agriculture in Kazakhstan and Russia.

141. International observers found that the mobilization of students for cotton picking was still widely accepted by local officials, families, and the students themselves. Most adults in Uzbekistan were mobilized to pick cotton as children, and it is still seen by most Uzbeks as a way to earn money for one's family and contribute to the economic development of the country. International observers also found that some children observed picking cotton do so with their parents outside of school hours. While the overwhelming number of schoolchildren picking cotton did so voluntarily, international observers found a few instances where schoolchildren who resisted mobilization were reportedly threatened with lower grades at school.

142. There are no reliable figures and few dependable sources of information regarding the true extent of child labor in the country and conditions. The latest available statistics from 2005 on the percentage of children involved in labor ranged from 2 to 19 percent. International NGOs which lack personnel on the ground in Uzbekistan reported child labor statistics collected by local human rights and political opposition activists, but their research methods were flawed and the statistics were unreliable. Much information reported by local activists on the use of child labor is anecdotal, unverifiable, and likely exaggerated. International observers who examined the reporting by local activists found that it sometimes did not track with what they had seen with their own eyes while conducting an informal, but widespread, survey of child labor practices this fall. The most reliable and objective source of information on the use of child labor during the cotton harvest remains international organizations with offices in Uzbekistan.

143. After the 2007 harvest, human rights and opposition activists provided estimates of the number of school-age children involved in cotton picking ranging from tens of thousands to up to two million. Activists explained that the estimates were developed by conducting interviews with a limited number of individuals in specific districts of one or two provinces of Uzbekistan (usually in areas where the use of child labor was most prevalent) and then generalized their findings for the country as a whole. But as the prevalence of child labor during the cotton harvest varies widely from region to region, such estimates lack validity.

144. In 2008, there has been some limited reporting by local activists on the use of child labor in the production of silk in the Ferghana Valley and in Bukhara province. However, these reports have been anecdotal and their reliability is uncertain. In contrast to the use of child labor for cotton picking, the use of child labor in the production of silk appears to be much less widespread and involves a far more limited number of students. More research and investigation is required to establish the

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credibility of such reports.

145. Children routinely work in family businesses in cities during school holidays and vacations. Children also work in street vending, services, construction, building materials manufacturing, and transportation. Older children frequently work as temporary hired workers without access to the social insurance system. Although the prevalence of child labor in the agricultural sector is high, traditional child labor concerns in the manufacturing sector are not an issue. The massive contraction of the manufacturing sector following independence left large swathes of the Uzbek adult population without employment, ensuring that they would be first in line for manufacturing jobs.

146. Human trafficking remained an issue in Uzbekistan, although the extent of child trafficking is unclear. This year there were credible reports that women, including some minors, were trafficked for sexual exploitation to the United Arab Emirates (UAE), China, India, Russia, Kazakhstan, Thailand, Turkey and Ukraine. There were also reports this year of victims transiting Kyrgyzstan, Kazakhstan, Georgia, and Azerbaijan for other destinations. According to the Justice Ministry's October 2008 report, during the first nine months of 2008, a total of 1,449 Uzbek citizens were trafficked. 1,283 (88.5 percent) of the victims were men trafficked for labor exploitation, 166 (11.5 percent) were women trafficked for sexual exploitation, while 28 of the victims were minors (it was not reported whether they were girls or boys). In the first nine months of 2008, IOM registered one case of a female minor being trafficked internally and 13 cases of minors being trafficked externally: five female minors were trafficked to UAE; one female minor was trafficked each to India, Kazakhstan, Russia, and Turkey; three male minors were trafficked to Kazakhstan; and one male minor was trafficked to Russia.

¶47. Over the past year and a half, several European and American retailers (including Wal-Mart, Tesco, Hennes and Mauritz, JC Penny, and Marks and Spencer) have announced a boycott of Uzbek cotton due to child labor concerns. Knowledgeable international observers on the ground in Uzbekistan have argued against pursuing a boycott of Uzbek cotton, noting that it could have many unforeseen, negative consequences. Since the Uzbek economy is still dependent on cotton exports (though cotton accounted for only 12 percent of Uzbekistan's foreign earnings in 2007, down from 66 percent in the early 1990s), these observers note that any changes to the current system of cotton collection could have profound and unanticipated economic effects that may end up actually hurting those it is intended to help, including rural laborers and their children (Note: While many adult laborers migrated to neighboring countries to pick cotton, many adult laborers still pick cotton in Uzbekistan, particularly earlier in the season when cotton is more plentiful in the fields. Such laborers, and their families, are heavily dependent upon the income they earn from the cotton harvest each year. End note.) International observers also note that a boycott could potentially hurt workers in other countries which depend on Uzbek cotton, such as in Bangladesh.

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¶48. The government's failure to prevent all schoolchildren from being mobilized for the cotton harvest this year - while disappointing - comes as no surprise, as the government's National Action Plan was overly ambitious, aiming to eliminate child labor in Uzbekistan over too short a period of time. Knowledgeable international observers on the ground in Uzbekistan argue that any serious attempt to combat child labor in Uzbekistan should not aim to eradicate the problem overnight, but rather should be part of a long-term strategy that addresses broader and related issues, such as rural poverty, unemployment, labor migration, and the perverse effects of cotton quotas. Until alternative sources of labor are in place, attempts to completely eliminate the mobilization of schoolchildren are likely to fail.  
BUTCHER

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